
Appeal Decision

Site visit made on 25 April 2017

by Richard Aston BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 19th May 2017

Appeal Ref: APP/H2265/W/17/3168020

Two Willows, Jubilee Crescent, Igham, Sevenoaks TN15 9AE

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr and Mrs Paul Southon against the decision of Tonbridge & Malling Borough Council.
 - The application Ref TM/16/03020/FL, dated 6 October 2016, was refused by notice dated 15 December 2016.
 - The development proposed is to demolish existing dwelling and erection of 2 detached dwellings with garage and parking.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the area.

Reasons

3. The appeal site is formed by a 2 storey detached dwelling and its associated garden areas and is set back from the road behind a substantial front garden with some soft landscaping along the front boundary. Given the land slopes away from the road it is slightly elevated above the road level and clearly conspicuous within the streetscene. Despite the presence of side elements which bring the footprint closer to the side boundaries, these are single storey and the dwelling has a sense of spaciousness and openness with its neighbours.
 4. The prevailing character and appearance of the area is formed by semi-detached and detached dwellings sited within substantial plots and within a mature landscaped context of trees and boundary hedgerows. This includes an area of sizeable open space with mature trees that separates Jubilee Crescent from Sevenoaks Road. Despite a small number of more open frontages further along Jubilee Crescent, the combination of such landscaping and spaciousness positively contributes to the character and appearance of the area.
 5. The proposal would sit substantially further forward within the site than the existing dwelling and would cover a significantly greater area of it. In combination with the overall depth and width of built form and in such close proximity to the side boundaries, the plots would appear noticeably narrower
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and in stark contrast to the prevailing pattern and plot widths of surrounding development.

6. Moreover, the height and mass of the dwellings would be substantial and have been designed with very deep and steeply pitched roofs of different pitches, when viewed from the road¹. The gap in between the dwellings and to the side would be insufficient to prevent a cramped appearance and the proposal, in particular its side and front elevations would appear unduly dominant and overly prominent. Overall, it would be an overly intensive development that would be at odds with the character and appearance of the area and to my mind, it would not represent an enhancement to the appearance, character and functioning of the settlement.
7. Furthermore, there would be a significant amount of engineering works to the frontage of the site including large areas of hardstanding, retaining walls, railings and steps. This would have a further and harmful urbanising effect in the streetscene that would not be mitigated by additional landscaping or more sympathetic use of materials for the boundary walls, mindful that such landscaping would take some time to mature and have limited space within which to be effective.
8. For these reasons, the proposal would cause significant harm to the character and appearance of the area. It would conflict with Policies CP1, CP13 and CP24 of the Tonbridge and Malling Borough Core Strategy 2007 and Policy SQ1 of the Tonbridge and Malling Borough Managing Development and the Environment Development Plan Document 2010. Amongst other things these require the protection and enhancement of the natural and built environment, development to be appropriate to the scale and character of the settlement and are of a high quality of design that respects the site and its surroundings and results in a significant improvement to appearance
9. I find this approach consistent with the National Planning Policy Framework ('the Framework') and note that the appellant points out that the Framework sets out that permission should not be refused for buildings which promote high levels of sustainability because of concerns about incompatibility with an existing townscape. However, this is on the basis that those concerns have been mitigated by good design and sets out that '*...permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area...*' that it is proper to seek to reinforce local distinctiveness and always seek to secure a high quality of design. For the above reasons, in its context the proposal would not represent a high quality of design and overall it would conflict with the design objectives of the Framework.

Other Matters

10. Although I noted that a small residential development of detached dwellings existed to the rear of the appeal site, these properties are set back from the highway by a greater degree and therefore have a much lesser effect than the appeal proposal before me would have. Consequently, they do little to justify the significant harm that I have identified in relation to the main issue.

¹ Drawing 16020 P07A.

11. The appellant's reference to sustainable development as set out in the Framework is noted and I acknowledge that the site would be a more efficient use of land in a not unsustainable location. However, in this particular case and on the evidence before me the development plan is not absent, nor is it silent, the relevant policies are not out of date and the proposal would not accord with it. As such, it would not be the sustainable development for which the Framework indicates a presumption in favour.
12. In the unweighted balancing exercise required the minimal economic and social benefits from the provision of one additional dwelling do not outweigh the significant harm to the character and appearance of the area that I have identified.

Conclusion

13. For the reasons set out above the proposal would conflict with the development plan, when read as a whole and the Framework. Material considerations do not indicate that the proposal should be determined other than in accordance with the development plan and having considered all other matters raised, I therefore conclude that the appeal should be dismissed.

Richard Aston

INSPECTOR